

CFSA Is Making Steady Improvements, But Significant Reforms Still Needed

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Adoption Day, Miles Family

William Miles had just turned 30 when he decided to skip happy hour and attend an information session on becoming a foster parent in D.C.

Miles grew up in a large family outside Pittsburgh and wanted to serve as a foster parent to give a child “as close to what” he had growing up. What came next—the certification process—was “extremely grueling.”

“Next to my mortgage, I don’t think I’ve ever had to do as much paperwork,” he says. “And rightfully so. You’re dealing with lives.”

D.C.’s Child and Family Services Agency finalized Miles’ certification in spring 2009, about a year after he started the process. After he didn’t hear from CFSA—“oftentimes you won’t hear from the agency for weeks or months” after becoming certified—Miles contacted them to ensure he was on the foster vacancy list. He got a call in July about a young child with “challenges” who had been in foster care for half a year. **Jovan**, then three, arrived at Miles’ home in August of that year.

While the agency still faces significant challenges, the D.C. child welfare system that served Jovan is vastly improved—nearly unrecognizable—from the one that served the city’s kids two decades ago.

In 1989, Children’s Rights (then part of the ACLU) sued D.C. alleging numerous violations of federal and District child welfare laws. *LaShawn A. v. Barry*, as the case was then known, was “about the failures of an ineptly managed child welfare system, the indifference of the [Barry] administration... and the resultant tragedies for District children relegated to entire childhoods spent in foster care drift,” District Judge **Thomas F. Hogan** wrote in the 1991 ruling. “Unfortunately, it is about a lost generation of children whose tragic plight is being repeated every day.”

The case put in motion a sweeping set of reforms to CFSA through an implementation and exit plan the city is still working to complete.

The Center for the Study of Social Policy serves as CFSA’s court-appointed monitor and issues periodic reports on the agency’s progress in achieving the plan’s benchmarks. According to CSSP’s May report, which covered July through December of 2014, CFSA met 72 of the 88 standards required. Improvements included “better use of data to assess performance, improved coordination with other city agencies, adoption of child welfare best practices, and enhancements to its crisis response and work with foster parents,” CSSP Deputy Director **Judith Meltzer** wrote at the time.

Thursday afternoon, CSSP is set to release a report on January through June of this year.

Mindy Good, a spokeswoman for CFSA, says the agency is “undergoing a big shift... from being a system that primarily supports foster care to primarily supporting families.”

That’s reflected in the data: The number of D.C. children in out-of-home placements declined from 2,588 in 2005 to 1,068 in 2014, according to CSSP. Good says the biggest change on this front has “been in investing in a network of evidence-based services in the community to help families with various issues that they have.” With the loosening of federal spending requirements, CFSA has been able to invest more in its Healthy Families/Thriving Communities Collaborative Council, five nonprofit hubs across the city that offer direct services to vulnerable families.

Judith Sandalow, executive director of the Children’s Law Center, says the organization believes the decline in out-of-home placements “is a good thing.” Five years ago, CLC looked at the data, “and there was clear evidence that children were coming into foster care who shouldn’t, who were being returned—some within a week, some in three months—and where they had relatives or family available,” she says.

On the flip side, the city has to provide enough support services to ensure that a child kept in the home is safe, Sandalow says. “It took a lot of work to make good decisions about which children should be removed and which should be left at home, and that’s a big success,” she says. “But... it’s not clear what kind of supports and services [are available], and how those children are faring at home.” The issue is one the “city as a whole” needs to address, she adds.

“I have seen an improvement in the services and the support that child and family services provides for children,” says Judge **Hiram E. Puig-Lugo**, who has presided over D.C. Superior Court’s family division since December 2013. “There has been a change in the philosophy. That change is consistent with change in the law.”

But Puig-Lugo, appointed to the court in 1999, also points to CFSA’s goal to “narrow the front door”—or keep children with their biological families and remove them only when their safety is at risk—as an “area of concern.”

“Sometimes we question whether the door has been narrowed too tightly,” Puig-Lugo says. “The agency tries to divert cases down other roads to implement a strategy of bringing in as few cases as possible into the court system, because bringing them into the court system is a more invasive response. I understand that they are trying to avoid triggering that invasive response, but our concern is, in some situations, are they waiting too long?”



If a child enters the foster care system, CFSA now puts an emphasis on placing him or her with a relative. In the third quarter of fiscal year 2015 (April to June of this year), 21 percent of children in the foster care system were in a kinship situation, up from 17 percent three years ago.

By law, the agency has 30 days to attempt to find and contact all adult relatives and notify them of the child’s removal; according to CSSP, CFSA made good-faith efforts to do this in 96 percent of the cases reviewed in the second half of 2014.

“We are looking at [the child’s] extended family first,” Good says, and “doing everything to find a family placement and to support those relatives.”

The rise in kinship placement rate is another “great success,” Sandalow says. But just like children left in the home and the adults who care for them, relatives of children in kinship care need more support.

The agency has also significantly reduced the number of children for whom the ultimate goal is adoption. Of the 1,074 D.C. children placed in foster care in FY15, CFSA sought adoptive homes for just 86.

“I remember when I first came here: We had over 1,000 kids with a goal of adoption. Why? Because they were languishing. There’s no other way to put it,” says Good, who has been with the agency for 13 years.

As a foster parent, Miles understands that reuniting a child with his birth family is usually the first goal—even if it’s painful.

“How can the agency, how can the foster parent help to reunify this family?—I think that’s what people need to understand about foster care,” he says. “Your first mandate is build the child up, help him reconnect to his family while the agency helps build mom and dad up.”

CFSA is also placing children back into their homes or into a permanent situation at a faster pace, although one that is still far from the ultimate goal. In fiscal year 2014, children went home after 14 months on average. As of Q3 of FY15, the average time decreased to 12 months. In FY14, it took an average of 43 months for a child

with a goal of adoption to be placed into a home; that number was down to 31 months as of Q3 FY15. (Good points out that the numbers include all children and youth, including teens “who are much much more difficult to find an adoptive home for.”)

It took four years for Jovan, now 11 and enrolled in sports and dance classes, to become a permanent member of Miles’ family. The original goal for Jovan was reunification, but that eventually changed to a kinship placement and later guardianship. Finally, in September 2013, Jovan legally became Miles’ son.

“I’m just realizing with my current adoption... how much that uncertainty can weigh on you,” Miles says. “Once Jovan had been there for so long and we were both bonded and attached, that level of uncertainty stresses you out... That child who your whole life centers around could be gone in 24 hours. There’s a possibility that you could never see him again.”

In total, Miles has served as a foster parent for six children, three of whom have been reunified with their families. On this year’s Adoption Day, which took place at D.C. Superior Court earlier this month, Miles adopted his second son, **Tennyson**, who came into Miles’ care in summer of 2014, when he was 18 days old.

He felt a similar level of uncertainty with Tennyson, and the same sort of stress. “As soon as the judge ruled, I just felt so much lighter,” he says of the closure of Tennyson’s case. “I don’t have to lay there at night, like, ‘Oh my god, how am I going to pack this child up... and get him ready for the next transition?’”

Miles has also cared for Tennyson’s biological sister since August. It’s not yet clear what her ultimate goal will be, and while Miles hopes she will become part of his family, he says she’s prepared for the alternative.

“Reunification is the goal,” he says. “You have to man up and deal with that.”

As a D.C. resident, Miles is exactly the kind of foster parent CFSA hopes to recruit through its DC Families for DC Kids program.

“Foster care is not something that you hear about once and say, ‘Sign me up!’ It’s a huge change in your life,” Good says. She’s encouraged by the “lively” conversation the campaign, started in February, has sparked on social media. “We have done a huge job to raise awareness.”

While keeping children in D.C. has its benefits, CFSA struggles to find quick placements for high-needs children and youth. CFSA ended a contract with a third-party agency that placed a number of these children in foster homes “without making sure they had other foster families” lined up first, Sandalow says.

And if CFSA wants to recruit more D.C. families to serve these children, Sandalow says it needs to offer them—and all foster families—the tools they need to deal with children suffering from significant trauma.

Despite being told he’s the model foster parent, Miles says it’s unlikely he’ll take on another child. Should CFSA determine that Miles’ home is the best place for Tennyson’s sister, his family will be complete.

“I’ve asked the Lord for one blessing and he sent me three angels.”

Photos by Darrow Montgomery